

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION**

**DANA R. BLICKLEY,**

**Plaintiff,**

**-vs-**

**Case No. 6:08-cv-1866-Orl-31GJK**

**JIM FORD, in his individual capacity, and  
in his official capacity as Brevard County  
Property Appraiser,**

**Defendant.**

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**ORDER**

This matter comes before the Court on the decision of the United States Court of Appeals for the Eleventh Circuit (Doc. 69) reversing this Court's order (Doc. 59) denying the Motion for Partial Summary Judgment (Doc. 46) filed by the Defendant, Jim Ford ("Ford"). In the underlying motion, Ford had sought summary judgment on qualified immunity grounds as to the second count of the two-count Second Amended Complaint (Doc. 32). Both counts were based on allegations that Ford fired the Plaintiff, Dana Blickley ("Blickley"), in retaliation for statements that she made that were entitled to First Amendment protection. The first count was asserted against Ford in his official capacity, while the second was asserted against him in his individual capacity.

When he filed his appeal, Ford argued that resolution of the qualified immunity issue in his favor would effectively dispose of both counts of the Second Amended Complaint. (Doc. 61 at 2). Blickley has not had an opportunity to respond to this assertion, and the Court cannot determine whether she intends to proceed on the remaining count. Accordingly, it is hereby

**ORDERED** that, on or before, November 23, 2010, the Plaintiff shall file a brief, not to exceed five pages, responding to the contention that the appellate court's decision has effectively resolved this entire case.

**DONE** and **ORDERED** in Chambers, Orlando, Florida on November 9, 2010.

  
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GREGORY A. PRESNELL  
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record  
Unrepresented Party